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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DAVID J. LORENZO,
Plaintiff
vs.
THE BOROUGH OF PALISADES
PARK, NEW JERSEY; CHONG
PAUL KIM (individually and in his
official capacity as Mayor of the
Borough of Palisades Park, New
Jersey); and SUK “JOHN” MIN
(Individually and in his official
capacity as a member of the Borough
Council of Palisades Park, New Jersey)
Defendants.

Hon. Claire C. Cecchi, U.S.D.J.
Hon. José R. Almonte, U.S.M.J.

Civ. No.: 2:23-CV-21849-CCC-JRA

A Civil Action

**NOTICE OF MOTION
TO DISMISS PURSUANT TO
FED. R. CIV. P. 12(B)(6)**

To:
United States District Court
District of New Jersey-Newark Vicinage
Martin Luther King Building &
U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Richard Malagiere, Esq.
Law Office of Richard Malagiere, P.C.
250 Moonachie Road, Suite 300A
Moonachie, New Jersey 07074
Attorneys for Plaintiff

PLEASE TAKE NOTICE that on February 20, 2024, the undersigned, attorneys for Defendants, The Borough of Palisades Park, Chong Paul Kim, and Suk “John” Min (“Defendants”) will move before the Hon. Claire C. Cecchi, U.S.D.J., pursuant to Fed. R. Civ. P. 12(b)(6) and L. Civ. R. 7(m) for an Order dismissing all claims against Defendants for failure to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that the undersigned shall rely upon the attached Brief and Certification of Counsel in support of the within motion; and,

PLEASE TAKE FURTHER NOTICE that pursuant to Fed. R. Civ. P. 78, oral argument is not requested.

A proposed form of Order is attached hereto.

Semeraro & Fahrney, LLC
Attorneys for Defendants

By: _____

R. Scott Fahrney, Esq.,


Dated: January 16, 2024